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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,366	04/15/2004	Chang Lim Lee	0465-1167PUS1	6617
2292	7590	05/04/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			MCCRAW, BARRY CLAYTON	
			ART UNIT	PAPER NUMBER
			3744	

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/824,366

Applicant(s)

LEE, CHANG LIM

Examiner

B. Clayton McCraw

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 8, 11-14, 17 and 18 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 9, 10, 15, 16, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1-3, 7, 8, 11-13, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Carmer, Jr. et al. (US 2,530,812). The applicant admits prior art to comprise at least a refrigerator or dispenser assembly in a refrigerator having a body, door, water supplying means, a hinge coupled between the

door and body, water supply pipe passing through the insides of the hinge and door and connected to the dispenser (Figure 1). The applicant's prior art fails to teach a curved holding member having a semi-cylindrical form holding the water supply pipe with an inside diameter smaller than the outside diameter of the supply pipe, wherein the holding member has an opening for inserting the water supply pipe through. Carmer, Jr. et al. explicitly teach a curved holding member having a semi-cylindrical form (Figures 2,3 and 6) holding a supply pipe (Figures 1-6) with an inside diameter smaller than the outside diameter of the supply pipe (col. 2, lines 8-12 and lines 21-25) wherein the holding member has an opening for inserting the water supply pipe through (Figures 2-3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the refrigerator as taught by admitted prior art with the flexible support as taught by Carmer, Jr. et al. because the holding member is clearly designed to eliminate abrupt bending in tubing applications (col. 1, lines 14-16).

5. Claim 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Carmer, Jr. et al. (US 2,530,812) and in further view of Koteskey (US 6,167,914). The applicant's admitted prior art and Carmer, Jr. et al. explicitly teach the elements of the present invention as described above, but fail to teach holes in one side of the holding member. Koteskey explicitly teaches holes in one side of a holding member (28 and 29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the refrigerator and holding tube as taught by applicant's admitted prior art and Carmer, Jr. et al. with the

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holding member holes as taught by Koteskey because it is clearly advantageous to provide extra holes to ease the uncoupling of two items.

***Allowable Subject Matter***

6. Claims 5, 6, 9, 10, 15, 16, 19, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Loeser (US 3,942,528) teaches a non kinking tube loop; Sheahan (US 2,769,999) teaches a hose handle arrangement; and De Vincent et al. (US 3,853,148) explicitly teach a hose routing bracket.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Clayton McCraw whose telephone number is (571) 272-3665. The examiner can normally be reached on M-F 8:30AM-5:00PM.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



BCM  
4/27/2006



**CHERYL TYLER**  
**SUPERVISORY PATENT EXAMINER**